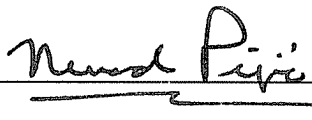


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Nenad Pejic

Signature: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Martinez et al.	:	Examiner: A. Riad
	:	
Ser. No.: 10/781,477	:	Art Unit: 2113
	:	
Filed: Feb. 17, 2004	:	HP PD No. 200314423-1
	:	
For: System and Method for Reboot Reporting	:	Confirmation No. 3109

Response to Non-Compliant Appeal Brief

Mail Stop Appeal Brief-Patents
Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This communication is responsive to the Notice of Non-Compliant Appeal Brief dated Nov. 13, 2007.

Please replace the "SUMMARY OF THE CLAIMED SUBJECT MATTER" on pages 2-4 with the following:

SUMMARY OF THE CLAIMED SUBJECT MATTER¹

Independent claim 1 is directed to a method of "reboot reporting" as shown in, for example, Figure 2 (reproduced below).

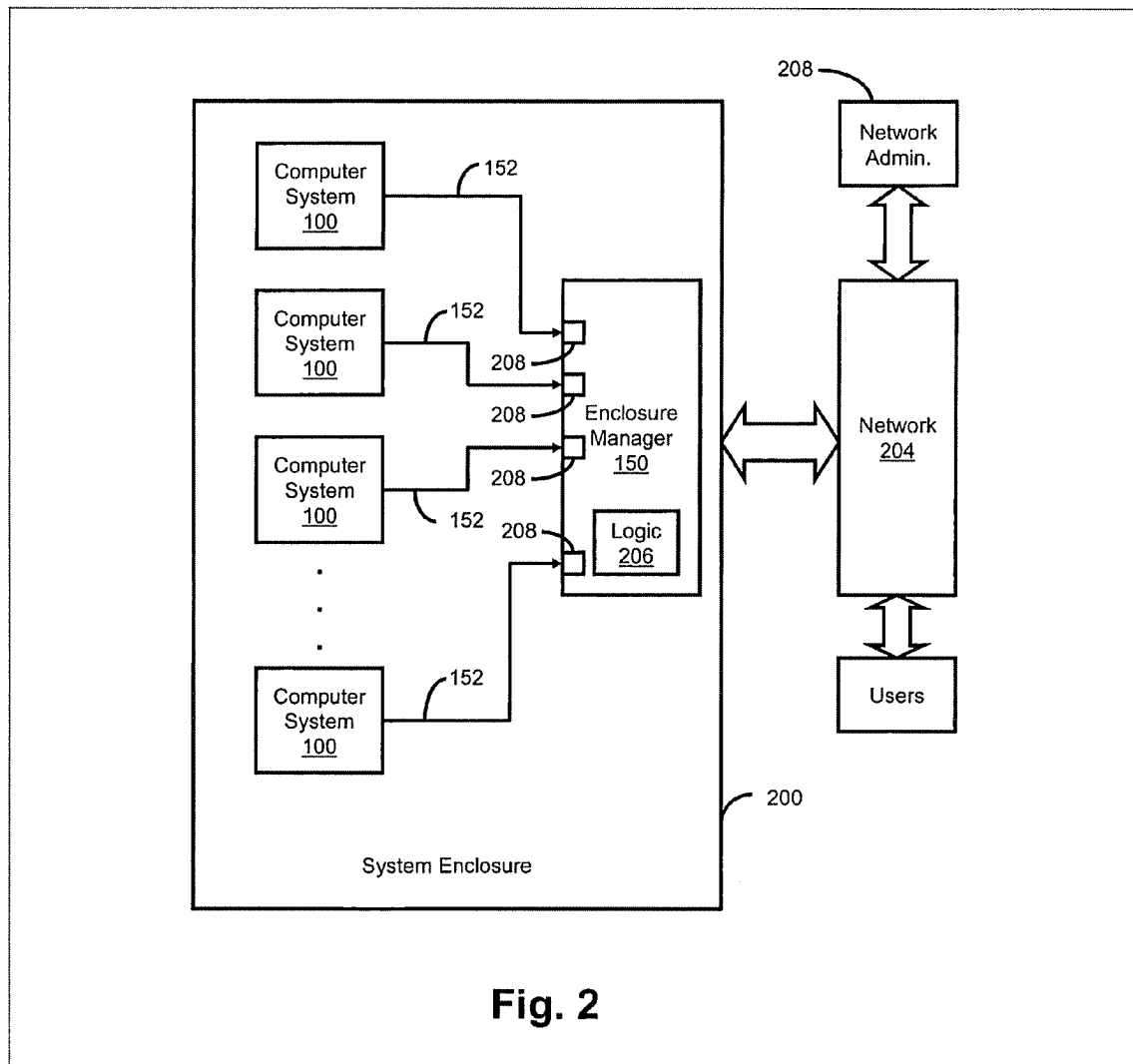


Fig. 2

¹ This summary of the claimed subject matter is not intended to limit the scope of the claims to the portions of the specification and drawings cited herein. Citations to the specification and drawings are made solely for the purpose of satisfying 37 C.F.R. § 41.37.

Claim 1 describes the method as including the step of reading a plurality of input lines 152 (Figs. 1 and 2) associated with a plurality of computer systems 100 having a plurality of processors 102 (Fig. 1). (Spec. pg. 10, ¶ 0026). Claim 1 also describes that the method includes generating at least one non-maskable interrupt signal 152 that is output to a processor 102 (Fig. 1) of the computer systems 100 and to an enclosure manager 150 associated with the plurality of computer systems 100. (Spec. pgs. 8-10, ¶¶ 0022-0025). An indication 410 that at least one computer system 100 has a fault condition is then generated. (Spec. pg. 12, ¶ 0030; Fig. 4).

Claim 5 depends from claim 1 and further describes the method as including the step of counting the number of times the non-maskable interrupt signal 152 is generated. (Spec. pg. 11, ¶ 0029). Claim 19 is similar to claim 5 but describes a means for counting the number of times the non-maskable interrupt signal 152 is generated. The structure corresponding to this means includes logic 206 and/or computer software instructions. (Spec. pg. 10-11, ¶¶ 0028-0029).

Independent claim 6 describes a system for reboot reporting having a plurality of computer systems 100 having at least one processor 102 (Fig. 1) and at least one non-maskable interrupt output 152 (Figs. 1 and 2). (Spec. pg. 10, ¶ 0026). The system also includes a manager system 150 (Figs. 1 and 2) in circuit communication with the plurality of computer systems 100 and which comprises at least one non-maskable interrupt input 208 (Fig. 2) associated with the plurality of computer systems 100. (*Id.*)

Independent claim 13 also describes a system for reboot reporting that includes a plurality of computers 100 (Fig. 2), means 150 for managing the plurality of computers (Fig. 2) and means 152 (Figs 1 and 2) for outputting a non-maskable interrupt signal indicating a fault condition associated with at least one of the plurality of computers to the means for managing. (Spec. pg. 10, ¶ 0026). The structure corresponding to the means for managing includes an enclosure manager 150. (*Id.*) The structure corresponding to the means for outputting a non-maskable interrupt signal includes a non-maskable interrupt ("NMI") signal path 152. (Spec. pg. 8, ¶ 0022 and pg. 10, ¶ 0026).

Independent claim 20 is directed to a computer system having a processor 102, a memory 108, at least one bridge circuit 106 in circuit communication with the processor 102, and a non-maskable interrupt signal circuit 152 in circuit communication with the processor 102 and at least one other computer system 150. (Fig. 1; Spec. pgs. 8-9, ¶¶ 0022-0023).

Independent claim 22 is directed to a system having an enclosure 200 that includes a plurality of individual computer systems 100 and a manager computer system 150. (Fig. 2; Spec. pgs 9-10, ¶¶ 0025-0026). At least one of the plurality of computer systems 100 has a processor 102 and a non-maskable interrupt signal circuit 118. (Fig. 1; Spec. pgs. 8, ¶ 0022). The non-maskable interrupt signal circuit 118 is in communication with the processor 102 and the manager computer system 150. (Fig. 1; Spec. pgs. 8-9, ¶¶ 0022-0023). The non-maskable interrupt signal circuit includes a bridge circuit 118 and a non-maskable interrupt signal path 152 to the processor 102 and the manager computer system 150. (*Id.*)

Independent claim 26 is directed to a system having means 200 for housing a plurality of digital devices 100, means 150 for managing the plurality of digital devices 100, means 102 for receiving and processing executable instructions, means 118 for generating a non-maskable interrupt signal 152 and means for communicating the non-maskable interrupt signal 152 to the means 102 for receiving and processing and to the means 150 for managing. (Figs. 1 and 2; Spec. pgs. 8-10, ¶¶ 0022-0026). The means 150 for managing includes a location within said means 200 for housing and the means 102 for receiving and processing comprising a location within said means for housing. (Figs. 1 and 2; Spec. pgs. 9-10, ¶ 0025). The means 200 for housing has a corresponding structure of a rack or enclosure. (Spec. pg. 5, ¶ 0017). The means 150 for managing the plurality of digital devices includes a corresponding structure of an enclosure manager. (Spec. pg. 9, ¶ 0024). The means 102 for receiving and processing executable instructions includes a corresponding structure of a CPU or processor. (Spec. pgs. 8-9, ¶¶ 0022-0023). The means 118 for generating a non-maskable interrupt signal 152 includes a corresponding structure of a bridge circuit.

(Spec. pg. 8, ¶ 0022). The means for communicating the non-maskable interrupt signal 152 to the means for receiving and processing and to the means for managing has corresponding structure of a signal pathway. (*Id.*)

Remarks:

The notice of non-compliance indicates that the filed appeal brief lacks a statement of the status of all claims or does not identify the appealed claims. Appellant respectfully submits that on page 2 of the originally filed appeal brief, under "STATUS OF CLAIMS," there is an indication that "claims 1-30" are on appeal and that all claims stand rejected under § 102(e). Applicant also respectfully submits that on page 4, under "GROUND OF REJECTION TO BE REVIEWED ON APPEAL," the originally filed appeal brief indicates that claims 2-4, 6-18, and 20-30 stand or fall with claim 1 and claim 19 stands or falls with claim 5. Hence, Appellant respectfully submits that the status of all the claims and an identification of the claims under appeal is present.

The notice also indicates that a concise explanation of the subject matter in each of the independent claims involved in the appeal is defective. Appellant has provided a substitute "SUMMARY OF THE CLAIMED SUBJECT MATTER" section herewith that addresses each independent claim involved in the appeal.

Respectfully submitted,



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